

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

On March 3, 2006 a hearing was held on a Petition for Action on Conditions of Pretrial Release (#79). Beau Finley represented the defendant. Assistant United States Attorney Thomas J. Kangior represented the government.

The court finds that the Order Setting Conditions of Release (#79) should be revoked because the defendant is unlikely to abide by conditions of release. The court further finds that there is no condition or combinations of conditions that would reasonably assure the defendant's presence for further proceedings, or the safety of the community if the defendant were to be released upon conditions.

**IT IS ORDERED;**

1. The Petition for Action on Conditions of Pretrial Release (#79) is granted;
  2. The Order Setting Conditions of Release (#79) is hereby revoked; and
  3. Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentence or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of the court of the United States or on the request of an attorney for the government, the person in charge of the correctional facility shall deliver defendant to the United States Marshal for purpose of appearance in connection with a court proceeding.

Dated this 7th day of March, 2006.

BY THE COURT:

**s/ Joseph F. Bataillon**  
United States District Judge